

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MONA DOBRICH, et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO. 05-cv-00120-JJF
	:	
HARVEY L. WALLS, et al.,	:	
	:	
Defendants.	:	

**UNOPPOSED MOTION TO EXTEND PHASE I DISCOVERY DEADLINE**

Defendants hereby move this Court for an Order extending the deadline for completion of discovery related to the constitutionality of the Indian River School Board's Prayer Policy, and in support thereof states as follows:

1. On March 24, 2006, this Court issued a Memorandum Order (D.I. 87) bifurcating discovery in this case into two separate phases: (1) discovery related to the constitutionality of the Indian River School Board's Prayer Policy, as written and as applied ("Phase I Discovery"), and discovery related to all other remaining issues ("Phase II Discovery").

2. On May 17, 2006, the Defendants filed a Notice of Substitution of Counsel (D.I. 124), noticing the withdrawal of Attorneys John D. Balaguer and John F. Cafferky as counsel for the Defendants, and entering the appearance of Attorney Warren T. Pratt as substitute counsel for all the Defendants.

3. On May 31, 2006, this Court issued a Scheduling Order for Discovery Pertaining to the Indian River School Board's Prayer Policy (D.I. 128), setting a deadline for completion of Phase I Discovery by June 22, 2006.

4. On June 1, 2006, this Court issued a Rule 16 Scheduling Order for Issues Other Than the Indian River School Board's Prayer Policy (D.I. 129), providing that Phase II Discovery should commence on June 26, 2006, and setting a deadline for completion of Phase II Discovery by January 5, 2007.

5. Mr. Pratt and his law firm, Drinker Biddle & Reath LLP ("Drinker Biddle"), have only recently begun to receive the materials necessary to formulating full and complete responses to the Plaintiffs' Phase I Discovery requests. Mr. Balaguer's client files were provided to Drinker Biddle on May 31, 2006, and Mr. Cafferky's client files remain forthcoming. Drinker Biddle is in possession of many, but not yet all, of the documents that may be responsive to the Plaintiffs' document requests.

6. Because of the recent substitution of counsel representing the Defendants in this matter, and because of unavoidable delays in the transition of documents and client files from former counsel to Drinker Biddle, Defendants' attorneys need additional time to permit a full and complete response to the Plaintiffs' Phase I Discovery requests.

7. Pursuant to Local Civil Rule 7.1.1, counsel for the Defendants has reached an agreement with counsel for the Plaintiffs to extend the deadline for completion of Phase I Discovery until July 28, 2006.

WHEREFORE, Defendants respectfully request that this Honorable Court grant their Unopposed Motion to Extend Phase I Discovery Deadline and extend the deadline for completion of Phase I Discovery until July 28, 2006.

Respectfully submitted,

/s/ Warren T. Pratt

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Dated: June 6, 2006